

## **SUBDIVISION PROCEDURE**

This procedure applies to any proposed division of land in Rockingham County that creates 3 or more lots. The review procedure is as noted below:

First Stage - Preliminary Plan  
Second Stage - Construction Plan  
Third Stage - Final Plat

The Construction Plan and Final Plat Procedure may be repeated for each section of the subdivision.

### **PROCEDURE**

Before you begin preparation of the Preliminary Plan, it is strongly recommended that a meeting be scheduled with a staff member of the **Community Development Department**. The office is located at 20 East Gay Street, Harrisonburg. Phone (540) 564-3030

Points to be covered at the meeting:

1. Check zoning of property to determine if the proposed use and density is permitted under the current zoning classification. See "Rezoning/Special Use Permits" for procedure.
2. Review your proposed development with a staff member. You should bring with you any information, plats, or a sketch plan that will aid in the review and illustrates your proposal.
3. Learn about County plans, policies, and ordinances that may affect your proposed development.
4. Determine if additional agency review will be required for your proposed use.
5. Obtain: Application, checklist, and ordinances.

## **A. PRELIMINARY PLAN**

### **STEP 1**

Have Preliminary Plan prepared by a design professional. See the Subdivision Ordinance sections on Preliminary Plans and Design Standards, and the Zoning Ordinance, for General Lot, Yard, Height, Buffer and Use Regulations for more detailed information.

### **STEP 2**

Submit application, eleven (11) **folded** copies of the Preliminary Plan, and the review fee. Incomplete submissions will not be accepted. The staff will determine if the submission is complete and, if so, will begin the review process by distributing it to a number of County and state agencies.

In general, Preliminary Plans are reviewed by County agencies and comments are returned to the **Community Development Department** within three (3) weeks, unless the plan is extremely complex or there is an extraordinary workload. State agencies are asked to observe the same review period and to notify the **Community Development Department** when additional time is needed. Upon receipt of comments, the **Community Development Department** will identify any major area of conflict or inconsistency and resolve them, if possible, before forwarding the comments to the engineer.

### **STEP 3**

Make changes to the Preliminary Plan as per comments and resubmit the required number of copies.

**TIME:** A maximum of 21 days for each submission or resubmission is the goal for completing the review process for projects. But some projects may take up to sixty (60) days to complete, depending on the workload.

**TERM:** Preliminary Plans are valid for a term of one (1) year after approval.

## **B. CONSTRUCTION PLAN**

### **STEP 1**

Assuming the Preliminary Plan is returned approved, proceed by preparing the next level of subdivision drawings - the construction drawings. The Erosion and Sediment Control Plan will be part of the submission (see the EROSION AND SEDIMENT CONTROL PROCEDURE section of this guide).

These plans follow the same review procedure as the Preliminary Plan.

### **STEP 2**

Submit required drawings to the reviewing agencies.

### **STEP 3**

Make changes and resubmit until plans are approved.

### **STEP 4**

Assuming approval of the Construction Plan, payment of fees and issuance of permits, you have three options prior to recordation:

1. Begin and complete all construction and acceptance of required public improvements. (i.e.- utilities, drainage, streets, etc.)
2. Begin construction and complete some part of the public improvements and submit a Subdivision Agreement and Surety to guarantee completion and acceptance of the remaining improvements.
3. Submit a Subdivision Agreement and Surety in lieu of completion of all improvements.

If option #2 or #3 is chosen, the following items must be submitted to the Department of Community Development:

1. Documentation of the cost of all public improvements, with the cost of all incomplete public improvements clearly defined, preferably in the form of copies of contractor's bids. However, cost estimates prepared by a certified professional engineer are acceptable. These cost estimates must be detailed in nature and relate to the various elements of construction, including but not limited to the cost of the public water system (lines, fire hydrants, etc.), the sanitary sewer system (gravity lines, manholes, force main, pump station, etc.), the storm drainage system (storm sewer lines, inlet and outlet structures, detention basins, etc.), and the street improvements (stone base, curbing, asphalt, landscaping, streetlights, street signs, etc.). This information is needed for establishing the surety amount.

2. Subdivision Agreement covering proposed construction and acceptance of all public improvements.
3. Irrevocable letter of credit (sample included in Subdivision Agreement), certified or cashier's check, or evidence of cash escrow in an amount approved by the County after review of the cost estimates. If a letter of credit is used, its expiration date must be at least sixty (60) days after the estimated date of completion set forth in the subdivision agreement. Also, the date of the subdivision agreement should be the same as the date of the letter of credit.
4. Appropriate documentation, such as minutes of a Board of Directors' meeting, setting forth the authorization for the person(s) signing the agreement, the final plat, and other associated documents to do so on behalf of the developer/property owner.

**TIME:**

As the State Code allows the County 60 days to complete all reviews, an aggressive schedule can be met only if the developers and the design professionals meet their obligations and exchange information in a timely manner.

**TERM:** One (1) year to file final plat after approval of the Construction Plan.

**C. FINAL PLAT AND RECORDATION**

**STEP 1**

Assuming completion and/or approval of one of the options listed in the Construction Plan procedure STEP 4, proceed with the preparation and submittal of copies of the Final Plat.

**STEP 2**

Submit eleven (11) **folded** copies of plat and fee.

**STEP 3**

When comment letter is received, make changes, if necessary, and resubmit for approval.

#### **STEP 4**

When the Final Plat has been approved, submit original with signatures, other applicable fees, and copies of all other required documents to the **Community Development Department**. The Record Plat (reproducible copies of the Final Plat) will be reviewed to ensure that it is in full conformance with the approved Final Plat. The Subdivision Agent will sign each copy, and return the original to the engineer, the plat must be taken to the **Clerk of the Court's** office for recordation.

#### **STEP 5**

Complete any outstanding construction, request inspections, and have public improvements or plans accepted by the County and/or VDOT. Release of surety will follow, upon completion and acceptance of public improvements.

#### **STEP 6**

Once the plat is recorded and five (5) working days have elapsed and infrastructure is within ninety (90) days of completion, proceed with the Building Permit Procedure or the selling of lots.

**TERM:** Six (6) months after the Final Plat approval to have Record Plat recorded in the office of the **Clerk of the Court**.